THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.13965 of 1995

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Dated 16-03-2006

Between:

K.V.Nagendra Bhupal.

..... PETITIONER

AND

The Commissioner of Hindu Religious Charitable Endowments, Govt. of A.P. Ramkoti, Hyderabad & another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.13965 of 1995

O R D E R:

Questioning the action of the Commissioner of Endowments, in not continuing the temporary post of propagandist in the second respondent Devasthanam on regular basis, as arbitrary and seeking a consequential direction to the first respondent to continue the post of propagandist in the second respondent Devasthanam on regular basis, regularizing the services of the petitioner in the Devasthanam, the present writ petition is filed.

Facts, in brief, are that the petitioner, an Orthopaedically handicapped, was appointed as a Junior Assistant vide proceedings of the Second respondent, executive officer, dated

02-04-1990. While the petitioner was working as a Junior Assistant, he was transferred and posted by conversion to the post of propagandist. While the petitioner's initial conversion was for a period of one year, he continued ever since October, 1992, was also granted annual grade increments and his pay was fixed in the cadre of propagandist. Petitioner would elaborate on various functions, which he discharged as propagandist. Since the post of propagandist was not continued, the petitioner was sought to be reverted to the lower post of lower division clerk. The Trust Board of the Devasthanam met on 09-06-1995, considered the issue in its agenda item No.44 to re-sanction the post of propagandist and to continue the same. While matters stood thus, applications were invited from the local employment exchange, Kakinada, for the newly sanctioned post of public relations officer and one Tula Ramudu was selected. Petitioner would contend that the post of propagandist was sought to be converted into the post of public relations officer, which according to the petitioner is impermissible. Petitioner would contend that since he was working earlier in the post of propagandist, the said post could not have been filled up inviting applications from the employment exchange.

Learned Government Pleader for Endowments would submit that during the pendency of the writ petition, this Court directed the respondents to consider the case of the petitioner along with the candidates whose names had been sponsored by the employment exchange for appointment to the post of public relations officer and for non-compliance of the said order, petitioner filed contempt case and subsequently had withdrawn the same. Learned Government Pleader would submit that the said Tula Ramudu was appointed as the public relations officer and that his appointment has not been challenged in the present writ petition nor is Tula Ramudu arrayed as a respondent herein.

In view of the aforesaid events, which have taken place subsequently, the cause in the writ petition no longer survives. Petitioner would be entitled to be considered for appointment to the post of propagandist or public relations officer only if the appointment of Tula Ramudu is set aside and since his appointment is not under challenge, the relief sought for in this writ petition cannot be granted.

The writ petition is accordingly dismissed. No order as to costs. Needless to state that this order shall not preclude the petitioner, if he so chooses, from challenging the appointment of the said Tula Ramudu in appropriate proceedings.

16-03-2006

usd